

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: ) Examiner: Spector, Lorraine  
Luc DESNOYERS, et al. ) Art Unit: 1647  
Application Serial No. 09/989,279 ) Confirmation No: 2527  
Filed: November 19, 2001 ) Attorney's Docket No. 39780-2730 P1C56  
For: NUCLEIC ACIDS ENCODING PRO1111 ) Customer No. 35489  
POLYPEPTIDES

**REQUEST PURSUANT TO 37 C.F.R. § 1.48(a), CORRECTION OF  
INVENTORSHIP IN A PATENT APPLICATION, OTHER THAN A REISSUE  
APPLICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

This Request seeks to add Ellen Filvaroff as a joint inventor in the above-identified application. Ms. Filvaroff was inadvertently and without deceptive intent not included as a joint inventor in the above-identified application. Enclosed are the following documents in support of this Request:

- (a) a statement signed by Ms. Filvaroff indicating that the error in inventorship in the above-referenced application occurred without deceptive intent on her part;
- (b) a declaration by the actual inventors under 37 C.F.R. § 1.63;
- (c) the fee set forth in 37 C.F.R. § 1.17(i) (\$130.00); and
- (d) a written consent of Genentech, Inc., assignee of the entire title, right and interest in the above-captioned application.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. **08-1641 (Attorney's Docket No. 39780-2730 P1C56)**. Please direct any calls in connection with this application to the undersigned at the number provided below.

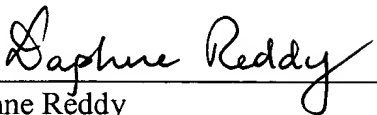
10/20/2006 AWD/DAF1 00000080 081641 09989279

01 FC:1464 130.00 DA

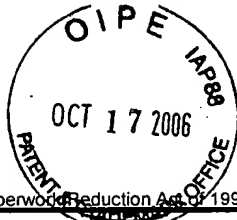
Amendment Under 37 C.F.R. §1.48(a)  
Application Serial No. 09/989,279  
Attorney's Docket No. 39780-2730 P1C56

Respectfully submitted,

Date: 10/17/06

  
\_\_\_\_\_  
Daphne Reddy  
(Reg. No. 53,507)

**HELLER EHRMAN LLP**  
275 Middlefield Road  
Menlo Park, California 94025-3506  
Telephone: (650) 324-7000  
Facsimile: (650) 324-0638



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# FEE TRANSMITTAL for FY 2006

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 130.00

## Complete if Known

Application Number	09/989,279
Filing Date	NOVEMBER 19, 2001
First Named Inventor	LUC DESNOYERS
Examiner Name	SPECTOR, LORRAINE
Art Unit	1647
Attorney Docket No.	39780-2730 P1C56

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit  
Account  
Number  
Deposit  
Account  
Name

08-1641

HELLER EHRMAN, LLP (39780-2730 P1C56)

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	300	2001	150	Utility filing fee	
1002	200	2002	100	Design filing fee	
1003	200	2003	100	Plant filing fee	
1004	300	2004	150	Reissue filing fee	
1005	200	2005	100	Provisional filing fee	
SUBTOTAL (1)					(\$ )

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below		Fee Paid
Total Claims	<input type="text"/>	-20** =	<input type="text"/>	X	<input type="text"/>	<input type="text"/>
Independent Claims	<input type="text"/>	-3** =	<input type="text"/>	X	<input type="text"/>	<input type="text"/>
Multiple Dependent					<input type="text"/>	<input type="text"/>

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	50	2202	25	Claims in excess of 20	
1201	200	2201	100	Independent claims in excess of 3	
1203	360	2203	180	Multiple dependent claim, if not paid	
1204	200	2204	100	** Reissue independent claims over original patent	
1205	50	2205	25	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$ )

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1,020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1,000	2403	500	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	500	2452	250	Petition to revive - unavoidable	
1453	1,500	2453	750	Petition to revive - unintentional	
1501	1,400	2501	700	Utility issue fee (or reissue)	
1502	800	2502	400	Design issue fee	
1503	1,100	2503	550	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	130.00
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 130.00

## SUBMITTED BY

(Complete (if applicable))

Name (Print/Type)	DAPHNE REDDY	Registration No. (Attorney/Agent)	53,507	Telephone	(650) 324-7000
Signature	<i>Daphne Reddy</i>	Date	OCTOBER 17, 2006		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



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**CORRECTION OF INVENTORSHIP UNDER 37 C.F.R. § 1.48(a)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir,

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). The assignment is recorded at Reel 012176 and Frame 0450. This assignment represents the entire chain of title of this invention from the Inventor(s) to the Assignee.

The undersigned hereby states that Assignee agrees to the correction of the inventorship of the above-identified patent application to include Ellen Filvaroff as a joint inventor.

Respectfully submitted,

Date: \_\_\_\_\_

By: Mark T. Kresnak *EMB*  
Mark T. Kresnak  
Associate General Counsel Patent Law  
Genentech, Inc.  
1 DNA Way  
South San Francisco, California 94080



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**POLYPEPTIDES** ) Customer No. 35489

STATEMENT OF OMITTED INVENTOR UNDER 37 C.F.R. § 1.48(a)(2)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

I, Ellen Filvaroff, hereby state that I was omitted as an inventor in the above application. I further state that this omission is due to an error which occurred without any deceptive intention on my part.

Respectfully submitted,

Date: 9/18/06

By: Ellen Filvaroff  
Ellen Filvaroff